

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

In the Matter of)	
)	
Amendment of Parts 2, 25 and 87 of the)	
Commission's Rules to Implement Decisions from)	
World Radiocommunication Conferences)	ET Docket No. 02-305
Concerning Frequency Bands Between 28 MHz)	
And 36 GHz and to Otherwise Update the Rules in)	
This Frequency Range)	
Amendment of Parts 2 and 25 of the)	
Commission's Rules to Allocate Spectrum For)	RM-10331
Government and Non-Government Use in the)	
Radionavigation-Satellite Service)	

To: The Commission

MOTION FOR LEAVE TO FILE SUPPLEMENTAL COMMENTS

Lockheed Martin Corporation ("Lockheed Martin"), by its attorneys, hereby moves the Commission for leave to file comments that supplement Lockheed Martin's February 10, 2003 Comments in the above-captioned proceedings. In support of this motion, Lockheed Martin offers the following:

After the close of the comment and reply comment cycle in the above-captioned proceeding, the International Telecommunication Union ("ITU") convened its 2003 World Radiocommunication Conference ("WRC-03") in Geneva. WRC-03 was held from June 9 through July 4, 2003. At WRC-03, a number of changes and associated decisions pertaining to the ITU Radio Regulations were approved. Among these decisions were actions relating to the conditions for use by the radionavigation-satellite service ("RNSS") of the frequency bands 1164-1215 MHz, 1215-1300 MHz, and 5010-5030 MHz. Two of these bands are directly implicated in the Commission's proposals and Lockheed Martin's comments in the instant

proceedings (i.e., those portions of the proceedings which focus on the allocation to and use by the RNSS of the 1164-1215 MHz and 1215-1300 MHz bands). The allocation to and conditions for the use of the RNSS band at 5010-5030 MHz, though not addressed in the Commission's notice of proposed rule making in ET Docket No. 02-305, were initially determined at the ITU's 2000 WRC – the actions of which are the principal subjects of the rulemaking proceeding and Lockheed Martin's initial petition for rule making in RM-10331. Thus, the new RNSS band at 5010-5030 MHz is also appropriate for treatment in the forthcoming report and order in ET Docket No. 02-305.

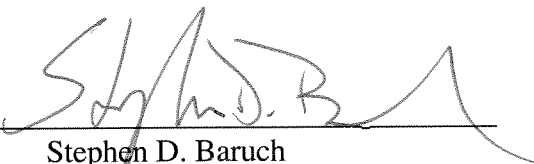
Lockheed Martin's Supplemental Comments present for inclusion in the record of the instant proceedings the final results of WRC-03 on the RNSS allocations and conditions of use mentioned above. Lockheed Martin also identifies how the Commission's initial proposals should be adjusted to accommodate the actions of WRC-03. Inclusion of these materials in the record will enable the Commission to make timely adjustments to its proposals for Section 2.106 and the Table of Frequency Allocations. It will also conserve Commission resources and time by avoiding the need for a separate implementation proceeding to re-modify rules that would be out of date or otherwise inconsistent with ITU actions as soon as they are adopted. Finally, Lockheed Martin is unaware of any entity that does not agree with the regulatory actions on RNSS that were taken by WRC-03. The actions had the full support and endorsement of the United States at the WRC. As a result, no one would be prejudiced by inclusion of the materials and adoption of the positions presented in Lockheed Martin's Supplemental Comments.

In conclusion, Lockheed Martin respectfully urges the Commission to grant this motion, and to accept Lockheed Martin's concurrently-filed Supplemental Comments as part of the record of the above-captioned proceedings.

Respectfully submitted,

LOCKHEED MARTIN CORPORATION

Jennifer Warren
Senior Director
Trade and Regulatory Affairs
Lockheed Martin Corporation
Crystal Square 2, Suite 403
1725 Jefferson Davis Highway
Arlington, Virginia 22202

By: 
Stephen D. Baruch
David S. Keir
Leventhal, Senter & Lerman PLLC
2000 K Street, N.W., Suite 600
Washington, D.C. 20006
(202) 429-8970
Its Attorneys

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